

**CHRISTOPHER LEE MICHELSON,**

**Plaintiff,**

**vs.**

**WELLPATH, et al.,**

**Defendants.**

**THIS MATTER** is before the Court *sua sponte*.

<sup>1</sup> The Plaintiff is no longer incarcerated.

cautioned that, should he fail to timely comply with the Order, the action would be dismissed without prejudice and closed without further notice. [Id.].

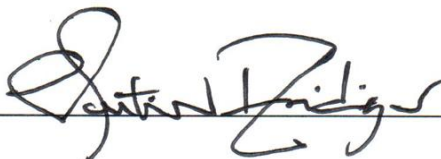
Plaintiff has failed to respond to the September 9 Order, and the time to do so has expired. Plaintiff appears to have abandoned this action, and the Court is unable to proceed. This case will therefore be dismissed without prejudice. See Fed. R. Civ. P. 41(b) (“If the plaintiff fails to prosecute or to comply with these rules or a court order, a defendant may move to dismiss the action or any claim against it.”); Link v. Wabash R.R. Co., 370 U.S. 626, 630-33 (1962) (although Rule 41(b) does not expressly provide for *sua sponte* dismissal, Rule 41(b) does not imply any such restriction and a court has the inherent power to dismiss a case for lack of prosecution or violation of a court order).

**IT IS, THEREFORE, ORDERED** that this action is **DISMISSED WITHOUT PREJUDICE**.

**IT IS FURTHER ORDERED** that the Clerk of Court is directed to terminate this action.

**IT IS SO ORDERED.**

Signed: October 26, 2021

  
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Martin Reidinger  
Chief United States District Judge

